

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ICU MEDICAL, INC.,)	
)	
Plaintiff,)	C.A. No. 07-468-JJF
)	
v.)	JURY TRIAL DEMANDED
)	
RYMED TECHNOLOGIES, INC.,)	
)	
Defendant.)	

**CERTIFICATION RELATING TO ICU'S MOTION FOR JUDGMENT ON THE
PLEADINGS AND/OR FOR PARTIAL SUMMARY JUDGMENT AS TO
DEFENDANT'S NINTH AFFIRMATIVE DEFENSE**

Plaintiff ICU Medical, Inc., through the undersigned counsel, hereby certifies that no genuine issues of material fact exist with regard to ICU's Motion for Judgment on the Pleadings and/or for Partial Summary Judgment as to Defendant's Ninth Affirmative Defense.

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Dated: November 24, 2009
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CERTIFICATE OF SERVICE

I, David E. Moore, hereby certify that on November 24, 2009, the attached document was electronically filed with the Clerk of the Court using CM/ECF which will send notification to the registered attorney(s) of record that the document has been filed and is available for viewing and downloading.

I hereby certify that on November 24, 2009, the attached document was Electronically

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